THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.14613 OF 2007

ORAL ORDER:

By order dated 16.4.2007 passed by the 2nd respondent, the petitioner herein was permitted to lift the essential commodities allotted to Krishnamvalasa sub-depot and distribute the same to the card holders. It is not in dispute that the sub-depot at Krishnavalasa was formed by bifurcating the fair price shop of Krishnamvalasa village long back in the year 1987. It appears that though the vacancy in respect of the newly constituted sub depot was filled up, subsequently, the dealer was removed on the ground of irregularities and to avoid inconvenience to the card-holders, the order dated 16.4.2007 was passed permitting the petitioner to lift the essential commodities. Accordingly, the petitioner lifted the commodities for the months of April and May, 2007 and distributed the same to the card holders.

While so, by order dated 25.5.2007, the Revenue Divisional Officer, Palakonda, merged Krishnavalasa sub-depot with the main shop at Krishnavalasa, in respect of which the 4th respondent is the authorized dealer. The said order is challenged in this writ petition contending *inter alia* that in view of the distance of more than 8 kilometers, the merger of Krishnavalasa sub-depot with the main depot is not in the interest of the card holders.

I have heard the learned counsel for the petitioner as well as the Government Pleader for Civil Supplies appearing for the respondents.

It is not in dispute that the appointment of the petitioner vide order dated 16.4.2007 itself was as an interim measure. As such, the petitioner cannot be said to have acquired any enforceable right to seek a *Mandamus* compelling the respondent 1 to 3 to continue the same arrangement.

As a matter of fact, the learned Government Pleader under instructions states, that even the impugned order dated 25.5.2007,

under which the card holders of Krishnavalasa sub-depot were merged with the main depot of the 4th respondent, was made only as a temporary measure and steps are being taken to notify the vacancy and appoint a dealer on permanent basis.

Having regard to the statement of the learned Government Pleader, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent to notify the vacancy and make appointment on permanent basis as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. If any such notification is made, it is open to the petitioner to apply, in which event the respondents will consider the same in accordance with law. No costs.

(G. ROHINI, J.)

10th August, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.14613 OF 2007

10th August, 2007.

Between:

Arunodaya Self Help Group (SGH), represented by its
Organizer – Smt. Muddada Pydamma. .. Petitioner.

And

The Revenue Divisional Officer,
Palakonda, Srikakulam District and others. .. Respondents.